

April 5 and May 5, 1939, by Chicago Almond Products Co. from Chicago, Ill.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Regular Nut Topping [or "Reg Nut Topping"] * * * Packed for Oscar Lucks Company * * * Seattle, Wash."

On March 25, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

PEANUT BUTTER

674. Adulteration and misbranding of peanut butter. U. S. v. 122 Cases, 99 Cases, and 19 Cases of Peanut Butter. Default decrees of condemnation and destruction. (F. D. C. Nos. 1312, 1411, 1442. Sample Nos. 61076-D, 61506-D, 61798-D.)

Examination of this product showed that it contained sand and clay. One portion was also short of the declared weight.

On January 9 and February 12, 1940, the United States attorney for the Eastern District of Louisiana filed libels against 240 cases of peanut butter at New Orleans, La., alleging that the article had been shipped in interstate commerce within the period from on or about November 3, 1939, to on or about January 5, 1940, by Sessions Co., Inc., from Enterprise, Ala.; and charging that it was adulterated and that one shipment was also misbranded. Portions of the article were labeled in part: (Jars) "Armour's Star 1 Lb. Net Pure Peanut Butter Armour and Company * * * Distributors"; or "Dubon Brand Peanut Butter * * * Distributed by Dubon Company New Orleans, La. 8 Ounces." One lot was labeled in part: (Case) "Gold Craft Peanut Butter."

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

One shipment was alleged to be misbranded in that the statement on the jar label, "8 Ounces," was false and misleading since it was incorrect; and in that it was in package form and did not bear an accurate statement of the quantity of contents.

On March 27, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

675. Misbranding of peanut butter. U. S. v. 54 Cases and 98 Cases of Peanut Butter. Default decree of condemnation and forfeiture. Product ordered sold. (F. D. C. No. 1827. Sample Nos. 790-E, 791-E, 799-E.)

This product was found to be short of the declared weight.

On April 17, 1940, the United States attorney for the Northern District of Georgia filed a libel against 152 cases of peanut butter at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about March 7, 1940, by the Dillon Candy Co. from Jacksonville, Fla.; and charging that it was misbranded. It was labeled in part: "Dillon's Peanut Butter."

The article was alleged to be misbranded in that the statements "Net Two Lbs." and "Net One Lb.," borne on the labels, were false and misleading since they were incorrect. It was alleged to be misbranded further in that it was in package form and did not bear an accurate statement of the quantity of contents.

On May 17, 1940, no claimant having appeared, a decree of condemnation and forfeiture was entered, and it was ordered that the product be sold to the highest bidder and that the labels be made to show the correct weight of the article.

676. Misbranding of peanut butter. U. S. v. 100 Cases of Peanut Butter. Default decree of condemnation, forfeiture, and destruction. (F. D. C. No. 1688. Sample No. 164-E.)

The packages of this product were found to be short of the declared weight.

On March 27, 1940, the United States attorney for the Western District of North Carolina filed a libel against 100 cases, each containing 24 jars, of peanut butter at Charlotte, N. C., alleging that the article had been shipped in interstate commerce on or about October 23, 1939, by the Dixieland Products Co. from Columbus, Ga.; and charging that it was misbranded. The product was labeled in part "Dixieland Peanut Butter."

The article was alleged to be misbranded in that the statement "Net Wt. 16 Oz.," borne on the label, was false and misleading since it was incorrect. It was alleged to be misbranded further in that it was in package form and did not bear an accurate statement of the quantity of contents.